

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

PHANI PALADUGU,

Plaintiff,

v.

Case No: 6:23-cv-467-RBD-LHP

SYSTEMONEX, INC.,

Defendant

ORDER AND ORDER TO SHOW CAUSE

Plaintiff Phani Paladugu, through counsel, instituted this action against Defendant Systemonex, Inc. on March 14, 2023, alleging violations of the Fair Labor Standards Act (“FLSA”) and a related claim under state law. Doc. No. 1. On May 4, 2023, the Court issued an FLSA Scheduling Order setting forth several deadlines in this case, which included a deadline for Plaintiff to serve on Defendant and file with the Court answers to the Court’s Interrogatories. Doc. No. 18 ¶ 2. *See also id.* at 7-8. Plaintiff, through counsel, obtained two extensions of time to comply with that deadline, and Plaintiff’s answers to the Court’s Interrogatories were due on July 3, 2023. *See* Doc. Nos. 20-24. Plaintiff did not comply with that deadline. Instead, on July 3, 2023, his counsel filed motions to withdraw, stating that

withdrawal was necessary because Plaintiff was refusing to communicate or respond. Doc. Nos. 25–26. Upon consideration, the Court granted the motions to withdraw on July 5, 2023. Doc. No. 27. Since then, Plaintiff has been proceeding *pro se*, and has made no further filings in this case.

Now before the Court is Defendant’s Corrected Motion to Compel Plaintiff’s Responses to Court’s Interrogatories, filed on July 28, 2023, in which Defendant seeks an order compelling Plaintiff to serve answers to the Court’s Interrogatories within ten (10) days. Doc. No. 31. Plaintiff has not responded to the motion, and his time for doing so has expired. *See* Local Rule 3.01(c). *See also* Fed. R. Civ. P. 6(d). Accordingly, the Court deems the motion to be unopposed. *See* Local Rule 3.01(c).¹

Upon consideration of the unopposed motion, as well a review of the docket in this case, the Court finds the motion well taken. Accordingly, the motion (Doc. No. 31) is **GRANTED**, and it is **ORDERED** as follows:

¹ The docket reflects that since Plaintiff has been proceeding *pro se*, mail from the Clerk’s office has been returned as undeliverable. In an abundance of caution, the Court directed Plaintiff’s prior counsel to file a notice verifying that the contact information provided by counsel in their motions to withdraw was correct. Doc. No. 33. Former counsel has filed such notice, stating that the information was correct, and that Plaintiff provided the contact information to former counsel. Doc. No. 34. Accordingly, the Court proceeds with issuance of this Order.

1. On or before **September 8, 2023**, Plaintiff shall **SHOW CAUSE** in writing why this matter should not be dismissed for failure to prosecute, and more specifically, for failure to comply with the July 3, 2023 deadline for filing and serving answers to the Court's Interrogatories (Doc. No. 18, *see also* Doc. No. 24). *See* Fed. R. Civ. P. 41(b); Local Rule 3.10.
 2. On or before **September 8, 2023**, Plaintiff shall also file with the Court and serve on Defendant answers to the Court's Interrogatories. *See* Doc. No. 18, at 7-8.
 3. **Plaintiff is cautioned that failure to comply with this Order may result in the dismissal of this matter for failure to prosecute without further notice.** *See* Fed. R. Civ. P. 41(b); Local Rule 3.10.
 4. The **Clerk of Court** is **DIRECTED** to mail a copy of the Court's FLSA Scheduling Order (Doc. No. 18), along with a copy of this Order, to Plaintiff.
 5. **Counsel for Defendant** is also **DIRECTED** to provide a copy of this Order to Plaintiff at the email addresses provided by former counsel, *see* Doc. No. 34, and to file a certificate of compliance with the Court.
- DONE and ORDERED** in Orlando, Florida on August 25, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties